

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

JUDGMENT IN CIVIL CASE

DAVID R. KELLY,

Plaintiff,

v.

Civil Action 2:10-cv-00775

Judge Algenon L. Marbley

Magistrate Judge E.A. Preston Deavers

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the September 27, 2011 Opinion and Order, the Court **ADOPTED** the Report and Recommendation. Plaintiff's Objections were **OVERRULED**. The Court **AFFIRMS** the decision of the Commission.

Date: September 27, 2011

James Bonini, Clerk

s/Betty L. Clark

Betty L. Clark/Deputy Clerk